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OFFICE OF PETITIONS

In re Application of :
Henry Falk et al :
Application No. 10/762,852 : ON PETITION
Filed: January 22, 2004 :
Attorney Docket No. SIRF.P244 :

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed January 22, 2009, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled “Renewed Petition under 37 CFR 1.137(b).” This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to timely pay the issue and publication fees on or before January 5, 2007, as required by the Notice of Allowance and Fee(s) Due, mailed October 5, 2006, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on January 6, 2007.

The Request for Continued Examination (RCE) must be filed prior to the date of abandonment. Office record show the (RCE) was received with the petition on May 20, 2008 which is after the January 6, 2007 abandoned date. This petition can not be granted until the Issue fee and publication fee are received.

Further correspondence with respect to this matter should be addressed as follows:

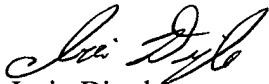
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The centralized facsimile number is **(571) 273-8300**.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3210.



Irvin Dingle
Petition Examiner
Office of Petitions